

COUNCIL WORK SESSION

Tuesday, January 27, 4:30 p.m.

Casper City Hall

Council Meeting Room

AGENDA

1. WARM Presentation
2. Snow Sports Group
3. Presentation by Judy Studer
4. Platte River Trails Trust – Future Trails Plan
5. Snow Removal
6. Sole Source Purchase: What is the Process?
7. Event Center Scoreboard
8. Future Agenda Review
9. Executive Session: Property

COUNCIL WORK SESSION - January 27, 2015

Mayor Powell called the meeting to order at 4:30 p.m. with all Councilmembers present.

The first item on the agenda was a presentation by Joe Constantino, Executive Director of the Wyoming Association of Risk Management (WARM). Mr. Constantino provided a general overview of the services WARM provides to member entities.

Next, Mayor Powell introduced Ted Rasmussen, Board President of Casper Mountain Racers, and members of the Snow Sports Group. Hogadon has a 30-year history with many facility user groups and community involvement at the facility. Mr. Rasmussen presented information regarding the year-round community usage of the Hogadon facility and the need for upgrades. He pointed out the focus and investment for downtown facilities in the last 5-10 years and is requesting consideration for investment to Hogadon upgrades. John Giantonio, Director of Sports and Events, Casper Area Convention and Visitor's Bureau, shared information regarding the summertime usage of Hogadon. Mr. Giantonio strongly supports and recommends to Council, investment to Hogadon facilities upgrades. Mr. Rasmussen wrapped up the presentation indicating the new lodge proposals do not indicate an extravagant facility and is fiscally conservative.

Doug Follick, Leisure Services Director, presented a memorandum to Council with a request for proposal to be developed to secure a contract for professional design and cost estimate for a new lodge at Hogadon as the first step in the current lodge's replacement. Mayor Powell pointed out there are many other projects also making requests of Council for expenditures and cautions piece meal approval without being fully educated on all needs for the City of Casper. Councilman Cathey clarified with Doug Follick this item is a request for staff time to continue with the request for proposal and bid processing, not for the lodge expenditure and build. Council agrees with continuation with the request proposed by Doug Follick and commits to further discussion and consideration of full scope of the future of this project at the upcoming off-site meeting.

At this time, Mayor Powell invited Judy Studer to provide updates on three pending issues. First, Judy Studer referenced for informational purposes only, the contract referred to as the Zone II and Zone III Water Project. This is a completed project with a request from Hedquist Construction, Inc. (HCI) for a Change Order for an additional \$25,000 for asphalt costs. Based on discussion with the engineer on the project, and the mathematical calculations Ms. Studer recommended to not approve the Change Order requested. She additionally addressed Council questions that this Change Order was for additional asphalt costs beyond what was initially required and requested in the project. Judy Studer confirmed the request for the Change Order was received January 7, 2015 and Andrew Beamer, Director Public Services, confirmed the project was completed in September/October of 2014.

Next, Judy Studer spoke to the pending records request by Councilman Hedquist. Mr. Motes, attorney for Councilman Hedquist, responded to reduce time frame of request and agreed to a reduction of two (2) months. This reduces the totals to be 1809 hours of phone conversations (55,534 calls) and 148 emails (10 megabits of data). The City of Casper has had a policy in place since 2010 that would require a \$20 per hour charge in order to construct the records (as the information is stored in an electronic format). This process would require someone to manually listen to each of the calls to determine if the information is responsive to the request and/or protected information by law. The City Manager has determined this is not proper to provide an exception to the current policy. Ms. Studer has sent a request to Mr. Motes informing him an exception will not be made since the current estimate is approximately \$40,000 in costs that would be incurred by the City. These costs would be presented in a written contract to Mr. Hedquist to require payment for the request upon delivery of the records. Councilman Schlager proposed a request to Councilman Hedquist to move past all of this and more forward as a unified body for the citizens of Casper. Mayor Powell pointed out this detail provided by Judy Studer is for informational purposes only.

Third, Mayor Powell provided a discussion on the selection of the contractor for the Platte River underpass project. With three (3) bids received, Hedquist Construction, Inc. (HCI) is by far, the lowest bidder. The intent of Council is to not enter into additional contractual agreements with HCI without seeking the input Judy Studer, Attorney for the City of Casper. Ms. Studer introduced her partner, Rick Koehmstedt, who is also familiar with the case as he will be present for the next Council work session on behalf of Ms. Studer (as she will not be available next week). City Manager Patterson addressed that he was advised by his attorney to not be involved in this decision and has removed himself from any discussions regarding this topic. Ms. Studer provided copies of the settlement agreements entered into with HCI. The law is specific that the City's authority to contract lowest bidder is to be considered in the sole discretion of the governing body. City Councilmembers are responsible for making the decision of a qualified and responsible bidder. Ms. Studer presented a historical detail of the last four projects with HCI all resulted in delays and issues which resulted in the settlements presented. Mayor Powell read an email from Councilman Hedquist sent to all Councilmembers regarding the project oversight not being Councilman Hedquist, rather his brother, should HCI be awarded the contract. The email also pointed out the three bid differences. Ms. Studer pointed out Council's code of ethics regarding conflict of interest on projects. Councilman Cathey indicated he is approached by citizens on a regular basis regarding the position of Councilman Hedquist and his conflict with

his business and seat on City Council. Vice President Sandoval proposed a recommendation to go with the second highest bidder to avoid the potential litigation and conflict associated with HCI. Councilman Mundell agrees and supports this recommendation. Council gave vote of unanimous thumbs down vote of nay to proceed with HCI for this project. Council gave vote of unanimous thumbs up vote for City staff to proceed with the second highest bidder for the project.

The next item on the agenda was a presentation from Angela Emery, Director of the Platte River Trails Trust (PRTT). Ms. Emery introduced information to Council for the Future Trails Trust plan. This vision is a 4 year plan that will be submitted to Council as part of their unallocated 1% #14 and 1% #15 funding request. This vision will include: Westward extension of the River Trail from Paradise Valley to Robertson Rd., a safe and separate trail from Casper College to Rotary Park, extension of the River Trail from Morad Park to the Mtn. View shopping center and Wolf Creek area, and a long awaited acquisition of the ponds area at the current Knife River operation. Bart Rea, Board Member for PRTT shared additional information with Council on the benefits of the project and trail location. Councilman Hopkins and Cathey questioned concerns of the Wyoming Department of Environmental Quality (DEQ) and the reclamation liabilities of Knife River in this general area. Ms. Emery shared that the purpose of this presentation was introduce the project to Council and ask for questions and inquires from Council. Mayor Powell indicated this would be an additional project discussed at the off-site meeting next week.

Councilman Hedquist excused himself from the meeting.

The meeting continued with an informational presentation by the City Streets Division regarding the process of clearing snow from the City's streets. Shad Rodgers, Streets Manager, shared the specific operations regarding scheduling and procedures for snow removal and answered questions from Council on this process. Council thanked the Streets Department for their efforts and hard work.

V.H. McDonald, Assistant City Manager, shared current City policy specifics for Sole-Source Purchasing and Other Purchasing Methods. Sole-Source purchasing is a negotiated purchase of a unit that can only be provided by a single manufacturer. The City Council must specifically review every request for Sole-Source purchase. The policy of the City of Casper is to limit the need for purchasing. However, whenever it is in the best interest of the City, the Department Head will prepare the necessary documents to justify the Sole-Source purchase. Sole-Source purchasing must be approved by the City Manager's office. Mayor Powell suggested a process going forward for Sole-Source purchases to be presented to Council by the Department Head in the pre-meeting or work session. Councilman Cathey pointed out it is the obligation of Council to read the information presented to Council and if and when necessary request the additional information from City Staff. Councilmembers agreed.

The next item for discussion was the reconsideration of Event Center Scoreboard upgrades. Councilman Cathey discussed the specifics for this expenditure is county wide consensus funds and thoroughly explained in the Council packet and concerns need to be brought before Council prior to the meeting. City Manager Patterson also encouraged inquiries leading up to Council

meetings on any questions and concerns for agenda items. Bud Dovala, Manager Casper Events Center shared information with Council as to the need for a new scoreboard. The scoreboard is the original scoreboard and is failing. Support is unavailable for fixing the issues due to the age of the equipment. Mr. Dovala addressed Council question and concerns on the scoreboard request for proposal process. He also addressed Councilman Schlager's inquiry that the scoreboard is essential to facilitate tournaments. Council discussed rational for their voting and concern for the overall cost of the new scoreboard. Vice President Sandoval wanted notation that he only voted nay due to a seven thousand dollar sloppy accounting observation. Vice President Sandoval indicated as a prevailing party, he will bring the topic back to Council at next meeting for consideration.

Finally, Council reviewed the future agenda items.

Councilman Schlager excused herself from the meeting.

At 8:17 p.m. Council met in executive session regarding property and executive session ended at 8:51 p.m.

There being no further business the meeting was adjourned at 8:51 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

V. H. McDonald
City Clerk

Charlie Powell
Mayor